



STATE OF INDIANA

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Re: Office of the Public Access Counselor (OPAC) Update

In an effort to promote transparency and openness of complaint review, OPAC is providing this weekly update:

Year	2024	2025	2026 YTD
Complaints Received	97	493	620
Complaints Pending	0	3	242

Complaints Received in September 2026 to date	57
Complaints Closed in September 2026 to date	53

Pending complaints as of September 18:

240+ days old	6
239 to 180 days old	26
179 to 90 days old	75
89 to 60 days old	24
59 to 30 days old	42
<30 days old	72

Weekly Data – September 11 to 18:

Number of Complaints Received	19
Number of Complaints Noticed	20
Number of Complaints Rejected	9
Number of Complaints Resolved	5
Number of Opinions Issued	5

OPAC receives complaints by email, fax and postal mail. Once received those complaints are reviewed for completeness of complaint and packet, appropriateness for review by this office and timeliness of submission. The time clock starts when the complaint is received by this office. If emailed, the date we received the email, usually the same day. If postal mailed, the date it was

received or the postmark date on the envelope.

Once this review is complete one of three (3) things will happen:

1) The Complainant will be notified that their complaint is insufficient. It could be that the complaint was not on the OPAC required form, that it was not signed, that no documentation of the APRA request was provided, etc. The Complainant will then be given 15 calendar days to complete his or her complaint or it will be rejected. *Note: The time clock is not stopped for these 15 days.*

2) A Notice of Complaint will be emailed to both the Complainant and Respondent and includes the notice with formal response deadline and a copy of the complaint with supporting documentation. The Respondent will be given approximately 20 days to submit its formal response. *Note: The time clock is not stopped for these 20 days.*

3) The Complainant will receive a rejection of his or her complaint. Most rejections happen at the beginning of the process, but they can occur at any time in the process. Common rejections are that the subject matter has nothing to do with the Open Door Law or the Access to Public Records Act, the public agency's response was sufficient, or the complaint was submitted more than thirty (30) days after the violation. OPAC is statutorily prohibited from issuing an advisory opinion once a lawsuit is filed. If OPAC learns that a lawsuit is filed, OPAC will notify both parties and reject the complaint.

The next step is Respondent submitting its response within that timeframe. Occasionally, the Respondent requests additional time to answer, which is discussed with the Complainant and either approved or denied.

At any point in the process the complaint may be resolved. Resolved usually means that the requested documents have been released or the parties have reached an agreement. This would include when the Complainant withdraws his or her complaint.

Finally, OPAC reviews the file with complaint, response and any additional emails or documentation and issues an advisory opinion. *Note: Closed means rejected, resolved or advisory opinion issued.*

For additional detail on this process, please see [Formal Complaint Guide](#) or [Public Access Handbook](#).